

## EXECUTIVE ORDER

NO. 88-25

BONDS ISSUED BY THE ARIZONA HEALTH FACILITIES  
AUTHORITY: PUBLIC APPROVAL REQUIREMENT

WHEREAS, the Congress of the United States passed the Tax Reform Act of 1986, which imposes a public approval requirement on most private activity bonds; and

WHEREAS, by this Executive Order I will designate certain elected officials of the State of Arizona to be "applicable elected representatives" of the State of Arizona for purposes of the public approval requirement of Section 147(f) of the Code (as defined below).

NOW, THEREFORE, I, Rose Mofford, Governor of the State of Arizona, do hereby proclaim and order as follows:

Section 1. Definitions.

- a. "Bond" shall mean any obligation the interest on which is excluded from gross income for federal income tax purposes under Sections 103(a) or 150(d) of the Code that is issued by the Arizona Health Facilities Authority and is subject to the public approval requirement of Section 147(f) of the Code.
- b. "Applicable Elected Representative" shall mean any person designated by this Executive Order, the Code or applicable federal regulations to act as an applicable elected representative for purposes of approving Bonds issued by or on behalf of the State pursuant to Section 147(f)(2)(E) of the Code.
- c. "Code" shall mean the Internal Revenue code of 1986.
- d. "State" shall mean the State of Arizona.

Section 2. Designation.

- a. Each of the following elected officials of the State are hereby designated as Applicable Elected Representatives for the purpose of complying with paragraph 2 of Section 147(f) of the Code with respect to Bonds:
  - (1) The Secretary of State, and
  - (11) The State Treasurer.
- b. Any one of such Applicable Elected Representatives may provide the necessary approval for any Bond.

c. In case any of the officials described in subsection (a) resigns or otherwise ceases to hold that office prior to the end of the applicable term of office, any person appointed to hold that office until a replacement can be elected to the office shall not be an Applicable Elected Representative. Any person elected in an at-large election of the State to fill the remaining term of any of the offices described in subsection (a) are designated as Applicable Elected Representatives for the purpose of complying with paragraph 2 of Section 147(f) of the Code.

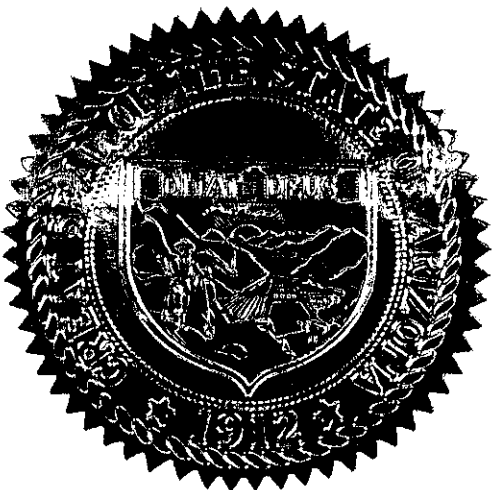
Section 3. Limitation of Liability.

No pecuniary recourse shall be had for any claim based upon any obligation contained herein against the State or any of the State's past, present or future officers, employees or agents.

Section 4. Effective Date.

This Order shall be effective as of January 1, 1988.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona



*Rose Mofford*  
GOVERNOR

DONE at the Capitol in Phoenix on this twenty third day of November in the Year of Our Lord and of the Independence of the United States of America the Two Hundred and Ninth.

ATTEST:

*Jim Shumway*  
Secretary of State